

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-23148 of 2017
Date of Decision : 13.07.2017

Dalip Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: *HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL*

Present: Mr. Sukhdeep Singh Sidhu, Advocate for the petitioner.

Mr. H.S. Grewal, Additional Advocate General, Punjab.

Anupinder Singh Grewal, J.(Oral)

The petitioner is seeking regular bail in FIR No. 68, dated 13.07.2014, under Sections 420, 465, 467, 468, 471, 120-B IPC, registered at Police Station Cantt. Bathinda, District Bathinda.

Learned counsel for the petitioner contends that the allegations against the petitioner in the FIR are that she along with her son Rupinder Singh had sold land comprising Khasra No. 2462/2min (3-0) measuring 300 sq. yards vide sale deed dated 20.05.2014, although the Bathinda Improvement Trust is stated to have acquired this land in the year 1993. Learned counsel contends that the petitioner was owner in possession of the land in question as duly recorded in the jamabandi for the year 2007-2008 (Annexure P-3), which was obtained by the petitioner on 02.05.2014. He further contends that the petitioner has been in custody for over two months since her arrest on 04.05.2017 and similarly situated co-accused, namely,

Lachhman Singh and Hakam Singh have been granted the concession of regular bail by the trial Court on 22.08.2014 after spending less than one month in custody.

Learned State counsel has filed custody certificate of the petitioner in Court today, which is taken on record. He upon instructions from ASI Surender Singh does not dispute that when the petitioner sold her land, she had been recorded as owner in the revenue record.

I have heard learned counsel for the parties.

The petitioner has been recorded as owner in the revenue record at the time of sale of the land and similarly situated co-accused have been released on regular bail.

In view of the aforementioned facts and circumstances and without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner, namely, Dalip Kaur is ordered to be released on regular bail on her furnishing requisite bail bonds to the satisfaction of the trial Court/Duty Magistrate.

(ANUPINDER SINGH GREWAL)
JUDGE

July 13th, 2017
kanchan

Whether speaking/reasoned? Yes

Whether reportable? No